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Requesting oral hearings

Appeals

For appeals, a **request for oral hearing** must be filed as a separate paper and the **required fee** must be paid within the appropriate time period.

Legal citations: 37 CFR § 41.47(b) (ex parte appeals) or 37 CFR § 41.73(b) (inter partes reexamination appeals) and 37 CFR 41.20(b)(3)

See also [Chapter 1200 of the Manual of Patent Examining Procedure](#) for additional guidance.

Request for Oral Hearing Forms for Appeals:

- [Form PTO/AIA/32](#) (for applications filed on or after September 16, 2012) [PDF]
- [Form PTO/SB/32](#) (for applications filed before September 16, 2012) [PDF]

The Board will send a **Notice of Hearing**, which sets forth the date, time and hearing room. Persons attending oral hearings should verify the designated hearing room at the usher's desk upon arrival.

Parties receiving a Notice of Hearing must respond **confirming attendance** at the hearing on the specified date and time. In **inter partes** reexaminations, **copies of all communications** to the Office must be **served on opposing counsel**. See 37 CFR § 1.903. This requirement applies to hearing-related correspondences such as, but not limited to:

- Confirmation of hearing attendance
- Request for video or telephonic participation
- Request for an easel or projector
- Request for a hearing postponement
- Request for pro hoc vice admission
- Request for additional argument time

If you have not received a Notice of Hearing, one will be issued in due course. The Board issues Notices of Hearing for heard appeals that have docketing notice dates that are approximately the same as the docketing notice dates of the Board's oldest "on brief" appeals in the same technology. That way, a party's decision to request an oral hearing neither accelerates nor delays a decision being rendered for that appeal. You can estimate how close an ex parte appeal is to being decided by reviewing the docketing date of the appeal and comparing it to the dates of the appeals that are currently being decided in the

same technology.

Reports are updated monthly on the [PTAB statistics: receipts and dispositions by Technology Center](#) webpage.

Trials

For AIA trials and Interferences, a party may request oral argument on an issue raised in a paper at a time set by the Board. The request must be filed as a separate paper and must specify the issues to be argued. See 37 CFR §§ 41.124(a) and 42.70(a). In the case of interferences, the request must be filed within five business days of the filing of the paper that raised the issue for which the oral argument is being requested. The judge(s) handling the matter will notify the parties of the hearing date and time by Order issued by the Board. Persons attending oral hearings can determine the designated hearing room at the usher's desk upon arrival.

For more information, please visit the [Hearings](#) page.

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